

ORDINANCE 85 - 47
To Vacate a Public Parcel
RE: North half of north/south alley between
College, Walnut, 4th, 5th (CFC, Inc.)

WHEREAS, IC 36-7-3-12 authorizes the Common Council to vacate public ways and places upon petition of persons who own or are interested in lots contiguous to those public ways and places; and

WHEREAS, the petitioner, CFC, INC. has filed a petition to vacate a parcel of City property on the north half of the north/south alley between College, Walnut, 4th and 5th Streets, and

WHEREAS, IC 36-7-3-512 requires the Plan Commission to make a recommendation on the proposed vacation and to forward it to the Common Council; and

WHEREAS, the Plan Commission has considered this petition and made a favorable recommendation on its adoption;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Through the authority of IC 36-7-3-12, a portion of City-owned property at the north half of the north/south alley between College, Walnut, 4th, and 5th shall be vacated. The property is more particularly described as follows:

the north half of the 12 foot alley right-of-way contiguous with City of Bloomington In-lots number 125, 126, 127, 128 all in Township 9 North Range 1 West and recorded in the office of the Recorder of Monroe County, Indiana.

SECTION II. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and published according to law.

PASSED and ADOPTED upon this 18th day of Sept 1985.

Patricia A. Gross
PATRICIA A. GROSS, President
Bloomington Common Council

ATTEST:

Patricia Williams
PATRICIA WILLIAMS, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 20th day of Sept, 1985.

Patricia Williams
PATRICIA WILLIAMS, City Clerk

SIGNED AND APPROVED by me upon this 20 day of Sept, 1985.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

- Approved by:
- 1. CFC (Ferguson)
 - 2. City Clerk
 - 3. Engineering
 - 4. Public Works
 - 5. Legal
 - 6. Controller
 - 7. PSI - Don Mark
 - 8. Edw.
 - 9. Planning

SYNOPSIS

This ordinance will vacate the north half of the north/south alley in the block bounded by College, Walnut, 4th and 5th Streets. The petitioner (CFC, Inc.) proposes to renovate the North side of this block into a retail and office complex.

****ORDINANCE CERTIFICATION****

In accordance with IC 18-7-4-508, I hereby certify that the attached Ordinance Number 85- , is a true and complete copy of Plan Commission Case Number MP-62-85 which was given a recommendation of approval by a vote of 6 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on August 19, 1985.

Timothy A. Mueller
 Planning Director
 Tim Mueller, Secretary
 Plan Commission

Date: August 20 , 1985

Received by the Common Council Office this 21 day of August , 1985

Patricia Williams
 Patricia Williams, City Clerk

Appropriation Ordinance # _____ Fiscal Impact Statement # _____ Resolution# _____
 Ordinance

Type of Legislation:

Appropriation _____	End of Program _____	Penal Ordinance _____
Budget Transfer _____	New Program _____	Grant Approval _____
Salary Change _____	Bonding _____	Administrative Change _____
Zoning Change _____	Investments _____	Short-Term Borrowing _____
New Fees _____	Annexation _____	Other _____

vacation of public right-of-way

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure _____	Emergency _____
Unforeseen Need _____	Other _____

Funds Affected by Request:

Fund(s) Affected _____		
Fund Balance as of January 1	\$ _____	\$ _____
Revenue to Date _____		
Revenue Expected for Rest of year _____		
Appropriations to Date _____		
Unappropriated Balance _____		
Effect of Proposed Legislation(+/-) _____		
Projected Balance	\$ _____	\$ _____

Signature of Controller _____

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues? Yes _____ No X

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion. Does not create new lots, so it will not create new revenue and it will not cost the City any more because it is already receiving City services.
 If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible.
 (Continue on second sheet if necessary)

Agency submitting legislation _____ Planning Department

By Tim Mueller Date 8/20/85

CFC Inc
City Clerk-Rt of way

HERALD-TELEPHONE
BLOOMINGTON, INDIANA

PROOF OF PUBLICATION

State of Indiana)
County of Monroe.....)ss

PENNY MCQUEEN being duly sworn on oath, says that she is billing clerk of Herald-Telephone, a public newspaper of general circulation, printed in the town of Bloomington in said county and state; that the notice, of which the annexed is a true copy, was published in regular edition of said paper, issued upon the following dates, to wit:

September 8, 1985

Penny McQueen

Subscribed and sworn to before me
on 9-8-85.

Joyce Colbert

Notary Public or Clerk

My commission expires 7-5-89

Publication Fee \$9.50

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

The Common Council of the City of Bloomington has been petitioned to hear a request for the approval of vacation of public right of way for the property described as follows:

The north half of the 12 foot alley right-of-way contiguous with City of Bloomington lots number 125, 126, 127, 128 all in Township 9 North Range 1 West.

Public Hearing will be held on September 18, 1985 at 7:30 PM in the Council Chambers of the Municipal Building for the purpose of exchanging information and questioning the petitioner.

All persons interested in said proposed vacation may be heard at the time and place as herein set out.

Submitted by:
Patricia Williams

City Clerk

